

## Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC  
TO AMEMBASSY VIENTIANE

C O N F I D E N T I A L STATE 207266

E.O. 11652:GDS

TAGS: PDIP APER LA SOCI

SUBJECT: LPDR DOCUMENTATION AND ORGANIZATION OF FOREIGN  
EMBASSY LOCAL EMPLOYEES

REF: VIENTIANE'S 902 AND 939.

FOLLOWING MESSAGE IS FOR EMBASSY'S GUIDANCE:

LAO PEOPLE'S DEMOCRATIC REPUBLIC ACCEDED 1961 VIENNA CON-  
VENTION ON DIPLOMATIC RELATIONS 3 DECEMBER 1962.

UNDER ART. 38, PARA. 2, MEMBERS OF MISSION STAFF (OTHER  
THAN DIPLOMATIC AGENTS NATIONALS OF OR PERMANENTLY RESI-  
DENT IN RECEIVING STATE, WHO ENJOY IMMUNITY FROM JURIS-  
DICTION, AND INVIOABILITY, ONLY IN RESPECT OF OFFICIAL  
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ACTS PERFORMED IN EXERCISE OF FUNCTIONS) AND PRIVATE  
SERVANTS WHO ARE NATIONALS OF OR PERMANENTLY RESIDENT IN  
RECEIVING STATE ENJOY PRIVILEGES AND IMMUNITIES ONLY TO  
THE EXTENT ADMITTED OPEN BRACKET PERMITTED CLOSE BRACKET  
BY THE RECEIVING STATE. HOWEVER, THE RECEIVING STATE MUST  
EXERCISE ITS JURISDICTION OVER THOSE PERSONS IN SUCH A  
MANNER AS NOT TO INTERFERE UNDULY WITH THE PERFORMANCE OF

THE FUNCTIONS OF THE MISSION." IN ADDITION, ART. 33,  
PARA 3 REQUIRES DIPLOMATIC AGENT EMPLOYING PERSONS WHO ARE

NATIONALS OF OR PERMANENTLY RESIDENT IN RECEIVING STATE  
AND WHO ARE NOT COVERED BY SOCIAL SECURITY PROVISIONS IN

FORCE IN SENDING STATE OR THIRD STATE TO OBSERVE OBLIGA-  
TIONS PLACED UPON EMPLOYERS BY RECEIVING STATE'S SOCIAL  
SECURITY PROVISIONS. ART. 25 REQUIRES RECEIVING STATE  
TO ACCORD "FULL FACILITIES FOR THE PERFORMANCE OF THE  
FUNCTIONS OF THE MISSION." ART. 47, PARA. 1 PROVIDES FOR  
NONDISCRIMINATION AS BETWEEN STATES BY RECEIVING STATE IN  
APPLICATION CONVENTION PROVISIONS.

NO BASIS FOR EMBASSY OBJECT ISSUANCE WORK CARDS, ASSERTION  
LPDR TAXING AUTHORITY AGAINST LOCAL EMPLOYEES OR UNIONZA-  
TION OF LOCAL EMPLOYEES, IF DONE ON CRAFT-WIDE OR ENTRY-  
WIDE BASIS, AND NOT ON BASIS THEIR STATUS AS US EMBASSY  
EMPLOYEES. EMBASSY NOT REQUIRED TO DEAL WITH LOCAL  
UNIONS EXCEPT AS ADJUNCT OF LAO GOVERNMENT. AS PRACTICAL  
MATTER, LPDR CAN SET WAGE SCALE ITS NATIONALS BY LAW,  
DECREE, ETC. ON UNION OR ANY OTHER BASIS WHICH DOES NOT  
DISCRIMINATE AGAINST FOREIGN MISSIONS AS EMPLOYERS.

PRACTICE OF RECEIVING STATE FURNISHING LOCAL EMPLOYEES,AS  
CARRIED OUT BY PEOPLE'S REPUBLIC CHINA AND USSR MAY BE  
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OF INTEREST, AND ALSO INDICATE PATH OF FUTURE IN LAOS.  
ALL 28 CHINESE EMPLOYEES US LIAISON OFFICE PEKING FURNISHED  
BY DIPLOMATIC SERVICES BRANCH OF MFA ON REQUEST USLO;  
USLO GETS OVERALL MONTHLY BILLING FROM MFA AND DOESN'T  
HAVE BREAKDOWN ON INDIVIDUAL SALARIES. USLO PAYS IN  
CHINESE CURRENCY FROM ITS CHECKING ACCOUNT. FIGURE 28  
INCLUDES TWO INTERPRETER-TRANSLATORS, TWO BUDGET AND  
FISCAL CLERKS, NINE CHAUFFEURS, TWO CARPENTERS, ONE MASON,  
ONE PLUMBER, ALL SERVANTS AT RESIDENCE AND ANY SERVANTS  
HIRED BY US EMPLOYEES (BUT THESE LAST ULTIMATELY PAID FOR  
PERSONALLY AND NOT BY USG). IN USSR ADMINISTRATION FOR  
SERVICES TO THE DIPLOMATIC CORPS (UPDK) PROVIDES LOCAL  
EMPLOYEES TO ALL DIPLOMATIC CORPS. USG PAYS UPDK AND UPDK  
PAYS EMPLOYEES. THESE EMPLOYEES (116) ALLOWED WORK ALSO  
IN CONSULAR AND GENERAL SERVICES AREA. TEXT MOSCOW'S  
17994 TO DEPT. DECEMBER 17, 1975 REPEATED HERE FOR YOUR  
INFORMATION:

"1. THE ADMINISTRATION FOR SERVICES TO THE DIPLOMATIC  
CORPS (UPDK) CONTROL EMPLOYMENT OF LOCAL EMPLOYEES TO THE  
EXTENT THAT IT SUPPLIES ALL OF THE CANDIDATES AFTER EMBASSY  
HAS PROVIDED GENERAL DESCRIPTION OF DUTIES TO BE PERFORMED.

CONTRACT IS ENTERED INTO BETWEEN THE EMBASSY AND THE INDIVIDUAL. UPDK ON OCCASION HAS REMOVED EMPLOYEES FROM THE EMBASSY AT ITS PLEASURE AND WITHOUT MOMENT'S NOTICE.

2. SALARY LEVELS ARE NOT IMPOSED BY UPDK, ALTHOUGH ON OCCASION IT HAS PRESSURED EMBASSY TO CHANGE SALARY LEVELS FOR CERTAIN CATEGORIES OF EMPLOYEES IMPLYING THAT ADDITIONAL CANDIDATES WOULD NOT BE SUPPLIED AT THE EXISTING SALARY LEVELS.

3. OTHER EMBASSIES COME UNDER THE SAME UPDK PROCEDURES BUT EFFORTS ARE MADE AMONGST PRIMARY WESTERN EMBASSIES TO COORDINATE AS MUCH AS POSSIBLE. IN PRACTICE, HOWEVER, CONFIDENTIAL

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INTERNAL PRESSURES AND VARIATIONS IN EMPLOYMENT SYSTEMS TEND TO PUSH US AWAY FROM CLOSE COMPARABILITY."

USG NOT PAYING LOCAL EMPLOYEES WHO ARE IN DIRECT EMPLOYER-EMPLOYEE RELATIONSHIP WITH IT IN US DOLLARS ANYWHERE IN WORLD.

EMBASSY SHOULD REMAIN IN CONTACT WITH MISSIONS OTHER NON-COMMUNIST STATES CONCERNING DEVELOPMENTS THIS AREA AND KEEP DEPT. INFORMED. CHRISTOPHER

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## Message Attributes

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**Channel Indicators:** n/a  
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**Disposition Approved on Date:**  
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**Disposition Date:** 22 May 2009  
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**Executive Order:** GS  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Reference:** 77 VIENTIANE 902  
**Retention:** 0  
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**Review Content Flags:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1624892  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LPDR DOCUMENTATION AND ORGANIZATION OF FOREIGN EMBASSY LOCAL EMPLOYEES  
**TAGS:** PDIP, APER, SOCI, LA, (MULDOON, ROBERT D)  
**To:** VIENTIANE  
**Type:** TE  
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